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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS, WASHINGTON, D.C. 20231, ON March 28, 2003.

THOMAS S. DEIBERT, REG. NO. 40,984  
AGENT/ATTORNEY FOR APPLICANT  
March 28, 2003  
DATE

Attorney Docket No. 1581/120

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fotinos  
Serial No.: 09/340,338  
Filed: June 25, 1999  
For: A Device and Method for the Treatment of Erectile Dysfunction

Group Art Unit No.: 1615  
Examiner: Ware, T.

Commissioner of Patents  
Washington, D.C. 20231

**AMENDMENT**

Sir:

This Amendment is responsive to the Office Action mailed November 5, 2002 (Paper No. 23). Applicant respectfully requests entry of this Amendment and reconsideration of the application in view thereof.

This Amendment is believed timely filed with a two (2) month extension of time. Should this Amendment not be considered timely filed with a two (2) month extension, Applicant hereby requests a retroactive extension of time to file for the number of months required to maintain pendency of the Application.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 04-0480.<sup>1</sup>

04/04/2003 JBALINAN 00000076 09340338

02 FC:1201 168.00 OP  
03 FC:1202 378.00 OP

<sup>1</sup> If an Extension is deemed necessary, please consider this Paper to comprise a Petition for such an Extension.

07/21/2005 RHARMON 00000002 040480 09340338

147234.207  
01 FC:1202 72.00 DA  
02 FC:1201 84.00 DA

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PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,706.00)

## Complete if Known

Application Number 09/340,338  
Filing Date June 25, 1999  
First Named Inventor Fotinos  
Examiner Name Ware  
Group Art Unit 1615  
Attorney Docket No. 1581/120

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 04-0480

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity / Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid  
Total Claims Independent Claims Multiple Dependent  
20\*\* = 21 x 18 = 378.00  
3\*\*\* = 2 x 84 = 168.00

Large Entity / Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$546.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity / Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 820*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	410.00
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.128(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.128(b))	750.00
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,160.00)

## SUBMITTED BY

Name (Print/Type) Thomas S. Deibert

Registration No. (Attorney/Agent) 40,984

## Complete if applicable

Telephone (609) 620-3231

Signature

Date March 28, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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